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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, CIVIL JURISDICTION

CIVIL REVISION APPLICATION NO.204 OF 1988

Messrs Darshan Trading Company & Ors..Petitioners

Versus

The Central India Machinery
Manufacturing Company Ltd.Respondents

Mr. R.S. Tripathi, for the Petitioners

CORAM: F.I. REBELLO, J.

DATED: 16TH AUGUST, 2007

P.C.:

. A purely administrative matter has been placed on judicial side. On 26th April, 1988 an order was passed directing the petitioners to deposit the decretal amount in the trial Court. However, it appears that an application was made to the Registrar on 29th January, 1996 for depositing the sum of Rs.15,000/- by pay order. It appears that the Registry received the said amount.

2. The Revision which was preferred by the petitioners was dismissed by order dated 9th July, 1996. In other words the respondents would be entitled to the money as the money was directed to be deposited as security for the decretal amount.

3. This matter has thereafter been placed on

several occasions. On 2nd August 2007 this Court directed the office to issue notice to the Advocate for the petitioner. Learned Advocate for the petitioners has now appeared. He points out that the petitioner No.1 no longer is in existence. The whereabouts of the petitioner No.2 are not known. The petitioner No.3 expired on 17th March, 2000 and petitioner No.4 is the daughter in law of the Petitioner No.3. She herself was a Partner in Petitioner No.1.

4. Since the money was deposited pursuant to the judicial order any person entitled to the money will have to move a Civil Application for that money, on the judicial side. If such an application is not moved within eight weeks from today the money be deposited in any Government Account in which such unclaimed moneys are deposited. If an Application is moved within the time set out the same be placed before the appropriate Bench which takes up hearing of the Applications.

(F.I.REBELLO, J.)